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PATENT

Application # 09/685,953

Attorney Docket # 1999-0644 (1014-075)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Albert Gordon Greenberg et al.  
Application # : 09/685,953  
Confirmation # : 5959  
Filed : 12 October 2000  
Application Title : SMART ROUTERS-SIMPLE OPTICS: NETWORK  
ARCHITECTURE FOR IP OVER WDM  
Art Unit # : 2664  
Latest Examiner : Ajit Patel

## INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment

Commissioner for Patents

United States Patent and Trademark Office (USPTO)

P.O. Box 1450

Alexandria, VA 22313-1450

06/07/2005 BRUNER 00000000 09685953

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Sir:

Pursuant to 37 CFR 1.56, the attention of the USPTO is hereby directed to the attached listing of documents and/or the attached Declaration. Unless otherwise indicated herein, one copy of each listed document is attached.

It is respectfully requested that the listed documents:

- (1) be expressly considered during the prosecution of this application;
- (2) be made of record therein; and
- (3) appear among the "References Cited" on any patent to issue therefrom.

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The following marked paragraphs are applicable in this IDS.

**Timing of this IDS:**

- ☐ A. This IDS is being filed per 37 CFR 1.97(b)
- ☐ (1): within 3 months of the U.S. filing date other than a CPA under 1.53(d);
- ☐ (2): within 3 months of the date of entry of the national stage as set forth in 1.491 in an international application;
- ☐ (3): before the mailing date of a first Office Action on the merits; **OR**
- ☐ (4): before the mailing date of a first Office Action associated with a request for continued examination (RCE) under 1.114;

**AND**, thus, no certification or fee is required.

- ☒ B. This IDS is being filed per 37 CFR 1.97(c), **AFTER** the period specified in 37 CFR 1.97(b) [section A of this IDS], and **BEFORE**:
- (a) the mailing date of any Final Action under 1.113,
- (b) a Notice of Allowance under 1.311, **OR**
- (c) an action that otherwise closes prosecution,

**AND**, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS ; **OR**
- ☒ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS;

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**AND**, per 37 CFR 1.97(c), this IDS is accompanied by:

- ☒ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

- ☐ C. This IDS is being filed per 37 CFR 1.97(d), AFTER the period specified in 37 CFR 1.97(c) [section B of this IDS], and ON or BEFORE the payment of the Issue Fee;

**AND**, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS; **OR**
- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS;

**AND**, per 37 CFR 1.97(d), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

**Legible Copies of Listed References:**

- ☐ D. In addition to the attached listing, accompanying this IDS is a legible copy of each listed:
- (1) foreign patent document;
  - (2) pending unpublished U.S. application OR that portion of the application that caused it to be listed including any claims directed to that portion; **AND**
  - (3) non-patent document or that portion thereof that caused it to be listed;
  - (4) other information or that portion that caused it to be listed.

**PATENT**

**Application # 09/685,953**

**Attorney Docket # 1999-0644 (1014-075)**

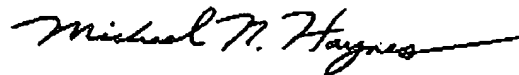
- ☐ E. Consistent with 37 CFR 1.98(d), because the IDS submitted in parent U.S. Patent Application No. \_\_\_\_\_, to which this application claims priority per 35 U.S.C. 120, complies with 37 CFR 1.98(a) to (c), copies of the patent documents, non-patent documents, pending U.S. application, and other information submitted in that parent application do not accompany this IDS.

**CONCLUSION**

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



Date: 6 June 2005

Michael N. Haynes  
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Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	09/685,953
		Filing Date	12 October 2000
		First Named Inventor	Albert Gordon Greenberg
		Group Art Unit	2884
		Examiner Name	Ajit Patel
Sheet 1 of 1	Attorney Docket Number	1999-0844 (1014-075)	

U.S. PATENT DOCUMENTS			
Examiner Initials	Patent No.	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
	5,905,838	Judy	18 May 1999

FOREIGN PATENT DOCUMENTS			
Examiner Initials	Patent No.	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document

NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.